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MAJOR CITIES CHIEFS

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May 25, 2001

Ms. Magalie Roman Sallas
Office of the Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

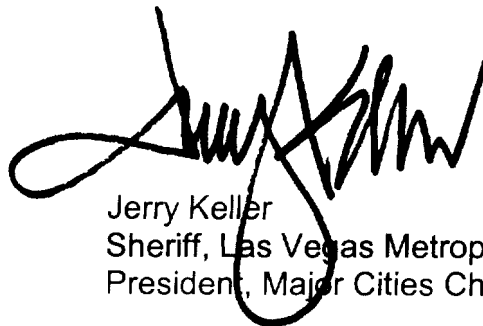
98-237

RE:: W.T. DOCKET NO. 0032

In addition to the previous resolutions we forwarded to you, please find attached, additional comments of the Major Cities Chiefs Association dated December 18, 2000. We would appreciate this attachment also being included as part of the record of subject docket.

I would further request that you also distribute copies of these comments to the Chairman, Commissioners, Chief Bryan Tramont of the Wireless Telecommunication Bureau and the current Chief of the Office of Engineering and Technology.

Sincerely,



Jerry Keller
Sheriff, Las Vegas Metropolitan Police Dept.
President, Major Cities Chiefs

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**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of the Commission's Rules)	ET Docket No. 98-237
With Regard to the 3650-3700 MHz)	RM-9411
Government Transfer Band)	
)	
The 4.9 GHz Band Transferred from)	WT Docket No. 00-32
Federal Government Use)	

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**COMMENTS
OF THE
MAJOR CITIES CHIEFS ASSOCIATION**

The Major Cities Chiefs (MCC) submits these comments in response to the First Report and Order and Second Notice of Proposed Rule Making in the above captioned proceedings regarding adoption of service rules for the 4.94 to 4.99 GHz band and the 3.65 to 3.7 GHz band.

The Major Cities Chiefs Association is a professional association of police executives from the largest cities in the United States and Canada. The association provides a forum for urban police chiefs, sheriffs, and other law enforcement chief executives to discuss common problems encountered in the effort to protect and serve cities with populations in excess of 500,000 people.

The MCC, on June 9, 2000, filed our membership's Resolution in response to the original February 29, 2000 Notice of Proposed Rule Making in which the Commission proposed using spectrum auctions to license the 4.94 to 4.99 GHz band. The MCC, along with the IACP, APCO, and others, strongly recommended that the Commission allocate the entire 50 MHz of 4.94 to 4.99 GHz to public safety for broadband wireless communications. The MCC further

recommended that the FCC seek input from the public safety community to develop technical and operational rules that match user requirements. The Commission is now seeking comment on the feasibility of pairing the 3.65 to 3.7 GHz band with the 4.94 to 4.99 GHz. Once again, we urge the Commission to allocate the 4.94 to 4.99 GHz band to public safety users rather than auction this spectrum. Further, the Commission should keep these two band opportunities separate and not pair this spectrum with the 3.65 to 3.7 GHz band. Our police agencies are in full agreement with these earlier filings that public safety needs this 4.94 to 4.99 GHz spectrum to implement broadband applications.

As we noted in our June 9th filing, public safety organizations in major cities routinely face criminals well equipped with the latest technologies available to consumers, including communications transmitting and monitoring devices. We noted that cellular users will have access to third generation multimedia wireless services, including high-speed data and video. To ensure the safety of our citizens and officers, we need our own dedicated next generation broadband wireless communications capabilities because we have unique operational requirements. We must have the associated spectrum to support these capabilities.

For police agencies, these new broadband wireless communications technologies will include high speed transmission of full-motion real-time videos, large data files, and short-range networking of radios and accessories in on-scene networks and personal networks, which provide the ability to wirelessly integrate radios with many different accessories and devices. Yet, as we noted, the criminal element will also have access to the latest consumer technologies, which will also include consumer high-speed data and video broadband devices such as those being implemented in the unlicensed 5 GHz band.

For our mission critical applications, our police agencies cannot rely on these unlicensed consumer technologies. Our specialized broadband technology must be licensed exclusively to public safety. Our mission critical requirements for these broadband systems are similar to those of our current voice and data systems: access control and priority, uninterrupted transmissions, secure communications and coverage that matches our mission. Because police agencies today have no spectrum that is allocated to public safety, we are seriously limited in our ability to implement these next generation broadband technologies on our horizon.

Previous Comments to this proceeding also point out that the 4.94 to 4.99 GHz band is in close proximity to the 5 GHz unlicensed band, allowing public safety to leverage our special broadband technology with the consumer broadband technology being developed for that unlicensed band. These bands have very favorable propagation characteristics for high speed and short distance broadband transmission applications. Finally, there are few incumbent Federal operations currently in the 4.94 to 4.99 GHz band that need to be relocated. All of which suggests that this band is a very good choice for allocating spectrum to public safety for broadband technologies.

The MCC therefore urges the Commission to allocate the 4.94 to 4.99 GHz band to public safety for our implementation of broadband applications, and to not pair this spectrum with 3.65 to 3.7 GHz band.

Respectfully submitted,
MAJOR CITIES CHIEFS ASSOCIATION
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Telephone (702) 229-3231

Dated: December 18, 2000